

1
2
3
4
5
6
7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**
9
10

11 SOUTHWEST REGIONAL
12 COUNCIL OF CARPENTERS,
13 Petitioner,
14 v.
15 HANAN CONSTRUCTION
16 COMPANY, INC.,
17 Respondent.

18 CASE NO. 11-CV-03519-DMG-FFM
19 **JUDGMENT CONFIRMING**
20 **ARBITRATION AWARD**

21 Upon consideration of the contentions of Petitioner Southwest Regional
22 Council of Carpenters' unopposed Petition to Confirm Arbitration Award, and this
23 Court having jurisdiction under Section 301 of the Labor-Management Relations Act,
24 29 U.S.C. § 185, and good cause appearing therefor,

25 IT IS HEREBY ORDERED AND ADJUDGED that the Award issued by
26 Arbitrator Edna Francis on February 24, 2011 and reissued on March 31, 2011, is
27 hereby confirmed and enforced, and Respondent Hanan Construction Company, Inc.,
28 shall comply with the Award, including the following remedy: Respondent "shall

1 award [Enriquez] Velasquez \$31,480.00 (20 weeks' lost pay @ 39.35 hourly wage
2 rate) and attendant pension and welfare benefits; shall award [Howard] Martin
3 \$61,386.00 (39 weeks' lost pay @ 39.35 hourly wage rate) and attendant pension and
4 welfare benefits; and shall award [Nathan] Horne \$52,706.13 (39 weeks' lost pay @
5 \$39.35 hourly wage rate minus \$8,679.87)) and attendant pension and welfare
6 benefits.”

7
8 IT IS FURTHER ORDERED AND ADJUDGED that, pursuant to California
9 Civil Code Section 3289(b), Respondent Hanan Construction Company, Inc., must
10 pay an interest at a rate of ten (10) percent per annum from the time of the breach until
11 full satisfaction of the arbitration award.

12 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
13 SOUTHWEST REGIONAL COUNCIL OF CARPENTERS has a judgment against
14 HANAN CONSTRUCTION COMPANY, INC, as follows:

15 1. 20 weeks' lost pay @ \$39.35 hourly wage rate \$31,480.00
16 to Enriquez Velasquez out of the 39 week remedy
17 period (between March 12, 2010 to December 10, 2010)
18 for the wrongful termination

19 2. Interest of ten (10) percent per annum on \$31,480.00, \$4,312.33
20 pursuant to California Civil Code Section 3289(b),
21 from the time of the breach on March 12, 2010
22 to the date of the Order confirming the Arbitration
23 Award

24 25 26 TOTAL TO ENRIQUEZ VELASQUEZ \$35,792.33
27
28

3.	39 weeks' lost pay @ \$39.35 hourly wage rate to <u>Howard Martin</u> for the 39 week remedy period (between March 12, 2010 to December 10, 2010) for the wrongful termination	\$61,386.00
4.	Interest of ten (10) percent per annum on \$61,386.00, pursuant to California Civil Code Section 3289(b), from the time of the breach on March 12, 2010 to the date of the Order confirming the Arbitration Award	\$8,409.04
	TOTAL TO HOWARD MARTIN	\$69,795.04
5.	39 weeks' lost pay @ \$39.35 hourly wage rate for the 39 week remedy period (between March 12, 2010 to December 10, 2010) for the wrongful termination, minus \$8,679.87, to <u>Nathan Horne</u>	\$52,706.13
6.	Interest of ten (10) percent per annum on \$52,706.13, pursuant to California Civil Code Section 3289(b), from the time of the breach on March 12, 2010 to the date of the Order confirming the Arbitration Award	\$7,220.02
	TOTAL TO NATHAN HORNE	\$59,926.15
7.	The amount of benefits Respondent would have paid to the Carpenters Southwest Administrative Corporation for the weeks that <u>Enriquez Velasquez</u> would have worked between March 12, 2010 to December 10, 2010 but for the wrongful termination, excluding the 19 weeks for which Mr. Velasquez found other employment sometime after July 1, 2010 (78 weekdays, 8 hours/day @ \$10.90 per hour; plus 22 weekdays, 8 hours/day @ \$11.40 per hour)	\$8,808.00

111

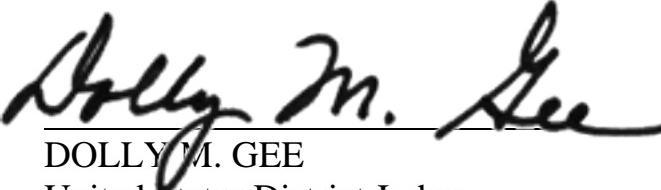
111

1	8.	The amount of benefits Respondent would have paid to the Carpenters Southwest Administrative Corporation for the 39 weeks <u>Howard Martin</u> would have worked between March 12, 2010 to December 10, 2010 but for the wrongful termination (78 weekdays, 8 hours/day @ \$10.90 per hour; plus 117 weekdays, 8 hours/day @ \$11.40 per hour)	\$17,472.00
9	9.	The amount of benefits Respondent would have paid to the Carpenters Southwest Administrative Corporation for the 39 weeks <u>Nathan Horne</u> would have worked between March 12, 2010 to December 10, 2010 but for the wrongful termination (78 weekdays, 8 hours/day @ \$10.90 per hour; plus 117 weekdays, 8 hours/day @ \$11.40 per hour)	\$17,472.00
10	10.	Interest of ten (10) percent per annum on \$43,752 (total of items 7 through 9, above) pursuant to California Civil Code Section 3289(b), from the time of the breach on March 12, 2010 to the date of the Order confirming the Arbitration Award	\$5,993.42
11		TOTAL TO THE CARPENTERS SOUTHWEST ADMINISTRATIVE CORPORATION	\$49,745.42
12		GRAND TOTAL	\$215,258.94

17
18 This Court retains jurisdiction for purposes of confirming and enforcing any
19 further award made by the arbitrator.
20
21

22 IS IT SO ADJUDGED.
23

24 Dated: September 13, 2011
25
26


DOLLY M. GEE
United States District Judge